

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

KRISTY WILSON, DARREN MOORE, and  
KISHA ULYSSE, individually, and on behalf of  
all others similarly situated,

Plaintiffs,

v.

MICROS SYSTEMS INC.,

Defendant.

Civil Action No. 3:13-cv-01328

Judge Campbell  
Magistrate Judge Bryant

JURY DEMAND

**ORDER**

This case is before the Court for consideration of Plaintiffs' Consent Motion for Approval of Settlement, which contains Plaintiffs' unopposed request to approve an award of service payments to the Named Plaintiffs and attorney's fees and costs. After reviewing the record and the motion submitted by Plaintiffs, with Defendant's consent, the Court enters the following Order.

"When employees bring a private action for back wages under the FLSA, and present to the district court a proposed settlement, the district court may enter a stipulated judgment after scrutinizing the settlement for fairness." *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 (11<sup>th</sup> Cir. 1982); *Gentrup v. Renovo Servs., LLC*, 2011 WL 2532922, at \*2 (S.D. Ohio June 24, 2011) ("The proper procedure for obtaining court approval of the settlement of FLSA claims is for the parties to present to the court a proposed settlement, upon which the district court may enter a stipulated judgment only after scrutinizing the settlement for fairness.") (citing *Lynn's Food*, 679 F.2d 1352-53).

Having reviewed the Settlement Agreement (the “Agreement”) executed by the parties and the Motion in support, the Court finds that the settlement is a *bona fide* compromise of the dispute. The Court further finds that the settlement is fair, adequate, and reasonable. The Court finds that the Agreement was negotiated at arm's length by represented parties and is not the result of any collusion. The Court has also reviewed the unopposed request for approval of the service payments to the Named Plaintiffs, as well as the attorney’s fees and costs in the amount stated in the Agreement and finds that the service payments and the amount of attorneys’ fees and costs to be paid to Plaintiffs’ counsel by Defendant as provided in the Agreement are reasonable.

Therefore, the Consent Motion for Approval of Settlement is hereby **GRANTED**, the settlement of the parties and the requested service payments and award of attorneys’ fees and costs is hereby **APPROVED**, and the terms of settlement in the Agreement are hereby incorporated into this Order. Under the terms of the Agreement, the Rule 23 class claims are **DISMISSED WITHOUT PREJUDICE**.

Defendant shall tender to Plaintiffs all payments consistent with the terms of the Settlement Agreement, and the parties shall thereafter file a stipulation of dismissal with prejudice of the claims raised in this action by the Plaintiffs who filed Consents to join this case. The clerk is hereby directed to administratively close this case, subject to reopening for the purpose of settlement enforcement actions pursuant to the terms of the Settlement Agreement. Fees and costs shall be paid to Plaintiffs’ Counsel as set forth in the Settlement Agreement.

Without affecting the finality of the Judgment, the Court reserves exclusive and continuing jurisdiction and venue with respect to the consummation, implementation, enforcement, construction, interpretation, performance and administration of the Settlement

Agreement and/or Judgment between the parties.

**SO ORDERED** this \_\_\_\_ day of May, 2015.

  
The Honorable Todd J. Campbell  
Judge, United States District Court